
IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

KENNETH MICHAEL PACIOREK,

Plaintiff,

v.

LEHI CITY, *et al.*,

Defendants.

**ORDER AFFIRMING & ADOPTING
REPORT & RECOMMENDATION**

Case No. 2:23-CV-905-DAK-DBP

Judge Dale A. Kimball

Magistrate Judge Dustin B. Pead

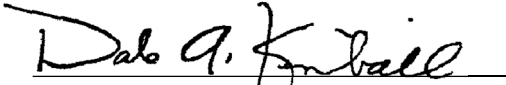
This case was assigned to United States District Court Judge Dale A. Kimball, who then referred the case to United States Magistrate Judge Dustin B. Pead under 28 U.S.C. § 636(b)(1)(B). The court screened Plaintiff's Amended Complaint and issued an order outlining its deficiencies and ordering Plaintiff to file a second amended complaint no later than April 19, 2024. On April 23, 2024, Magistrate Judge Pead issued a Report and Recommendation [ECF No. 13] noting that Plaintiff has failed to file a second amended complaint by the court's deadline and recommending that the court dismiss the action without prejudice for failure to comply with court orders and failing to cure the defects of the deficient Amended Complaint.

The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation must be filed within fourteen days of receiving it. As of the date of this Order, Plaintiff has not filed an Objection to the Report and Recommendation, and the time for doing so has passed.

A Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The court has reviewed the Report and Recommendation and the record *de novo* and agrees with Magistrate Judge Pead's analysis and recommendations in their entirety. Therefore, the court adopts and affirms Magistrate Judge Pead's Report and Recommendation as the Order of the court. Accordingly, the court dismisses this action without prejudice.

DATED this 21st day of May 2024.

BY THE COURT:


DALE A. KIMBALL
United States District Judge